

EXHIBIT A

From: Scheaf, Judson [mailto:Jud.Scheaf@thompsonhine.com]
Sent: Thursday, July 09, 2009 1:35 PM
To: Isaac, Chris
Cc: Kaufman, Steven; Walters, Gary
Subject: '747 Patent Discovery

Chris,

I was surprised to learn that you were asking Mr. Mutch questions in relation to the '747 Patent. As you know, we agreed that the current slate of depositions would relate solely to the '894 Patent aiming toward the the Court-ordered August 15 discovery cut-off for those issues. In fact, we had also reached agreement as to a separate discovery track for the '747 Patent dispute. Despite that, you told my colleagues that I had agreed that the '747 Patent would not be off limits in the current depositions: that is absolutely false and such a notion doesn't make any sense.

I have instructed Gary to instruct our witnesses not to answer any '747 Patent-related questions until we embark upon that discovery. If you had asked to take '747 Patent discovery of Messrs. Mutch and Ryai, they would not have been available to you this week, as we have not even exchanged written discovery on those topics.

Jud